House of Commons Debates

FOURTH SESSION—SIXTH PARLIAMENT.

SPEECHES OF HON. EDWARD BLAKE, M.P.,

ON

GRAND TRUNK BILL AND FOREIGN CONTRACT LABOR BILL.

WEDNESDAY, 19TH MARCH, 1890.

Mr. BLAKE. I think that, after what has been done in other instances, as the hon. gentleman has stated, we should adopt this motion, but I cannot forbear to say that I view with some apprehension the proposal of the hon. gentleman to move the House to extend the time for action by the Standing Orders Committee. I must say, Sir, that during some years I took a very earnest part in endeavoring to enforce, as far as was practicable, consistently with real emergencies, those rules of the House which require the presentation in due time of private Bill legislation. I think that we have now fallen into laxer practices than have prevailed in former years. From my observance of the system in past Sessions, I think it is one which is open to very great possibilities of evil, and when we find private Bill legislation dropping into this House at an advanced period of the Session, it is almost certain that something will slip through for want of being attended to, which, if properly attended to, would be prevented. So far from relaxing these rules, I had rather that we should pass an ordinance which would make them more binding, and that the regulations of the Standing Orders Committee should be more rigorously observed in the future than in the past. I think our attention should be directed to some plan by which we should further enforce upon those who require private Bill legislation, the duty—unless in a case of emergency, and of course our laws are flexible and adequate to meet all real emergencies—of giving the full notice required, and sending in their petitions and presenting their Bills early in the Session. I think a very large improvement would be obtained if we made some arrangement whereby these petitions should be so dealt with that the Bills, by perhaps some alternate process or otherwise, should take their initiation in the other branch of the Legislature. We know that after Parliament meets, of necessity but a very small portion of legislative duty can be discharged by the Senate in the early part of the Session, until we supply it with work. I think a function of the highest public consequence would be performed by that Chamber, if a much larger part of the private Bill legislation, than has ever been initiated there, were, by a course of practice, which the two Houses have it in their power to arrange, begun in that branch of the Legislature. We know that in England a certain class of private Bill legislation is very largely moulded and managed by the House of Lords. I have some reason to believe, not from personal experience, but from what I have heard, that those Bills which are dealt with by the Senate are very carefully criticised, and I do think that it would be of great consequence, if we could devise some methods, not for further relaxation, but for more rigid observance of the general rules ; and also for providing that a large portion of the private Bill legislation should take its initiatory stages in the other branch of the Legislature, in order that it may have that more perfect consideration which we cannot give it here.

Mr. BLAKE. I do not suppose, Sir, that any one could imagine your conduct to have been otherwise than proper and correct, and the misunderstanding was due to the fact that attention was not called to the arrangement on which the proceeding to be taken was intended to be based. The second reading of the Bill, even under the circumstances under which the First Minister proposes it shall be read, may be used in the neighboring Republic as an evidence that we have assented to its principle. I think that it would be an unworthy act for us to pass it through a second reading with any such object, since the First Minister, who leads the great majority in this House, has announced that he does not agree to its principle. He has stated that the second reading has entirely another object. We have, therefore, no idea of using this as an indication of any intention to pass hostile legislation. Whatever the intention may be in our breasts, that is not the intention with which we are asked to go through a second reading. If it were, I should regard it as a very regrettable intention to act on, unless we were fully decided that the principle is a sound one, which the First Minister says he does not affirm. On the contrary, he asks us to agree, in words contrary to the formal effect of the second

reading, that we do not affirm that principle. He has stated that his desire is that the Bill should be referred to a Select Committee, in order that there should be a care ul and full report made of the conditions and circumstances of our grievance and difficulty with the neighboring Republic—not the grievance and difficulty which this Bill professedly is designed to remove, namely, that too many people are coming in from the other side, but the grievance and difficulty we labor under by the restriction of the passage from our side to the other of the citizens of our own country. I hold that is not the function of a Select Committee on the Bill. I think, Sir, you will find that all the Select Committee on the Bill can do, if you strike one, is to report the Bill either in its present shape, or with such amendments as they may think should be submitted to the House; and, therefore, the object the right hon. gentleman has in view will not be attained by the appointment of the Select Committee he proposes. If the purpose be to examine this question carefully, to consider its whole bearings—the bearings, namely, of the operation of the law of the United States upon us, and the bearings of the operation of such a law as is proposed by this Bill upon us, and the best remedies for the difficulties—the better plan would be, that the hon. mover of the Bill should propose, or that the hon. First Minister should propose, a motion for the appointment of a Select Committee to consider the whole subject and report upon it. Such a Committee could consider it and give us a full and general report, which a Select Committee on the Bill will not, under its appointment, have power to give, as such Committee will be able to deal only with this Bill, which presents but one side of the case, and its powers will be limited to simply remodelling the clauses according as the Committee think they should be remodelled. I wish to refer briefly to another matter, in respect of which I have been anticipated by my hon. friend the member for South Oxford (Sir Richard Cartwright). I do think that the passage, in its present form, of the legislation on the other side, and the effect which has been suffered to be given to that legislation, without any attempt made to modify it, are very cogent proofs of the importance of a diplomatic agent of Canada being present at Washington. I stated that view as long ago as the year 1880, and I think all that has happened since that time has indicated the importance of our doing what I then said we ought to do, that is, to send there the very best man this country can afford, to bend his mind to the consideration of those matters in which the interests of the one country are affected by the action of the other, in which Canadian interests are affected by what is being done and what is being said in Washington. I thought then, and I think now, that it is important that there should be always a free and responsible Canadian medium for the interchange of opinion with the Washington authorities in regard to Canadian interests. I believe that, if that plan were adopted in regard to a country which, to adopt the language of the hon. member for Northumberland (Mr. Mitchell), is so much governed by newspapers, misunderstandings would not occur, difficulties would be explained, the path would be made easier in many ways in regard to our various relations with the States. This House is now sitting, and it may perhaps have a function to discharge in regard to this matter. My opinion is that the function would be best discharged by the appointment of a Select Committee; but, if you are going to accept the suggestion of the First Minister in regard to this Bill, it will either be necessary to interfere with the precedents and practice of Select Committees on Bills, or, in some extraordinary way, by giving some special authority or instruction to the Committee, to enable them to make a finding in this regard, otherwise you will find, when the report comes back, that it will not be what you expect.

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